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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:18-MD-02843-VC

**DECLARATION OF JOSHUA S.
LIPSHUTZ IN SUPPORT OF
DEFENDANT FACEBOOK, INC.'S
OPPOSITION TO PLAINTIFFS' MOTION
FOR "LIMITED" DISCOVERY**

1 I, Joshua S. Lipshutz, declare as follows:

2 1. I am an attorney admitted to practice law before this Court and all of the Courts of the
3 State of California. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record
4 for Defendant Facebook, Inc. in the above-captioned action. I offer this declaration in support of Fa-
5 cebook's Opposition to Plaintiffs' Motion for "Limited" Discovery. I have personal knowledge of the
6 facts set forth in this declaration (unless otherwise noted), and, if called to testify, I could and would
7 competently testify to them.

8 2. Attached hereto as **Exhibit A** is a true and correct copy of the article *Revealed: 50 Mil-*
9 *lion Facebook profiles harvested for Cambridge Analytica in major data breach*, written by Carol
10 Cadwalladr & Emma Graham-Harrison and published in The Guardian on March 17, 2018. As of the
11 date of this Declaration, the article was available at [https://www.theguardian.com/news/2018/mar/17/](https://www.theguardian.com/news/2018/mar/17/cambridge-analytica-facebook-influence-us-election)
12 [cambridge-analytica-facebook-influence-us-election](https://www.theguardian.com/news/2018/mar/17/cambridge-analytica-facebook-influence-us-election). This article is cited in a number of the Plaintiffs'
13 complaints. *See e.g.*, Burk Compl. ¶ 2 fn. 1; Haslinger Compl. ¶ 14 fn. 3; Pelc Compl. ¶ 14 fn. 5; Picha
14 Compl. ¶ 4 fn. 7; Skotnicki Compl. ¶ 4 fn. 7; Vance-Guerbe Compl. ¶ 6 fn. 4.

15 3. Attached hereto as **Exhibit B** is a true and correct copy of the article *How Cambridge*
16 *Analytica turned Facebook 'likes' into a lucrative political tool*, written by Carol Cadwalladr & Emma
17 Graham-Harrison and published in The Guardian on March 17, 2018. As of the date of this Declaration,
18 the article was available at [https://www.theguardian.com/technology/2018/mar/17/facebook-cam-](https://www.theguardian.com/technology/2018/mar/17/facebook-cambridge-analytica-kogan-data-algorithm)
19 [bridge-analytica-kogan-data-algorithm](https://www.theguardian.com/technology/2018/mar/17/facebook-cambridge-analytica-kogan-data-algorithm). This article is cited in a number of the Plaintiffs' complaints.
20 *See e.g.*, Beiner Compl. ¶ 30 fn. 16; Burk Compl. ¶ 42 fn. 29; Picha Compl. ¶ 24 fn. 20; Reninger
21 Compl. ¶ 21 fn. 16; Skotnicki Compl. ¶ 23 fn. 20.

22 4. Attached hereto as **Exhibit C** is a true and correct copy of Facebook's 2013 Data Use
23 Policy, as revised on November 15, 2013.

24 5. Attached hereto as **Exhibit D** is a true and correct copy of Facebook's Statement of
25 Rights and Responsibilities, as revised on April 26, 2011.

26 6. Attached hereto as **Exhibit E** is a true and correct copy of the article *Zuckerberg on*
27 *Cambridge Analytica: 'We Have a Responsibility to Protect Your Data, and If We Can't Then We*
28 *Don't Deserve to Serve You,*' written by Sara Salinas and published by CNBC on March 21, 2018. As

of the date of this Declaration, the article was available at <https://www.cnn.com/2018/03/21/zuckerberg-statement-on-cambridge-analytica.html>. Plaintiffs cite this article in Footnote 4 of their Memorandum of Points and Authorities in Support of their Motion for Limited Discovery.

7. Attached hereto as **Exhibit F** is a true and correct copy of the article *Ted Cruz using firm that harvested data on millions of unwitting Facebook users*, written by Harry Davies and published by The Guardian on December 11, 2015. As of the date of this Declaration, the article was available at <https://www.theguardian.com/us-news/2015/dec/11/senator-ted-cruz-president-campaign-facebook-user-data>. This article is cited in a number of Plaintiffs' complaints. *See e.g.*, Beiner Compl. ¶ 27 fn. 14; Gerena Compl. ¶ 16 fn. 9; O'Kelly Compl. ¶ 25 fn. 9; Picha Compl. ¶ 28 fn. 23; Reninger ¶ 18 fn. 14.

8. Attached hereto as **Exhibit G** is a true and correct copy of the article *Whistleblower Christopher Wylie says he's now been blocked by Facebook*, written by Christina Farr and published by CNBC on March 18, 2018. As of the date of this Declaration, the article was available at <https://www.cnn.com/2018/03/18/whistleblower-christopher-wylie-says-hes-now-been-blocked-by-facebook.html>.

I declare under penalty of perjury pursuant to the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed at Washington, D.C., on this 15th day of August, 2018.

/s/ Joshua S. Lipshutz

Joshua S. Lipshutz

Attorney for Defendant Facebook, Inc.